

Express Mail No.: EL 477 035 673 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Satoshi Asai et al.

Serial No.: 10/042,407

Group Art Unit: Not Yet Assigned

Filed: January 8, 2002

Examiner: Not Yet Assigned

For: METHOD OF SCREENING A
GENE

Attorney Docket No.: 7005-129-999

RESPONSE TO NOTICE TO FILE MISSING PARTS

The Assistant Commissioner for Patents
Box Missing Parts
Washington, D.C. 20231

Sir:

In reply to the Notice to File Missing Parts of Non Provisional Application dated February 14, 2002 (copy attached), Applicants submit herewith:

- (1) an executed Declaration and Power of Attorney;
- (2) an English translation of the specification, claims and figures as filed;
- (3) a Statement under Section 1.52(d) certifying that the translation is accurate;
- (4) a copy of the Sequence Listing in computer readable and paper forms together with the required Statement;
- (5) Substitute drawings under 37 C.F.R. §1.84(p)(2) and 37 C.F.R. §1.52(d)(1) with the text in English; and
- (6) Authorization for fees under 37 C.F.R. §1.16(l) and 37 C.F.R. §1.17(i).

Please charge the required fee, estimated to be \$260.00, to Pennie & Edmonds LLP Deposit Account 16-1150. A copy of this sheet is attached.

Respectfully submitted,

Date April 9, 2002

Geraldine F. Baldwin 31,232
Geraldine F. Baldwin (Reg. No.)

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, New York 10036-2711
(212) 790-9090

Enclosures



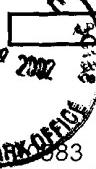
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS

UNITED STATES PATENT AND TRADEMARK OFFICE

WASHINGTON, D.C. 20231

www.uspto.gov



APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/042,407	01/08/2002	Satoshi Asai	7005-129-999

PENNIE AND EDMONDS
1155 AVENUE OF THE AMERICAS
NEW YORK, NY 100362711

05/01/2002 NPIRASASD 00000008 161150 10042407
01 FC:104 280.00 CH

Date Mailed: 02/14/2002

CONFIRMATION NO. 8994
FORMALITIES LETTER



OC00000007480672

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

04/11/2002 YPOLITE1 00000108 10042407

Filing Date Granted

01 FC:105 130.00 CH
02 FC:139 130.00 CH

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- **The balance due by applicant is \$ 260.**
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1);
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8,

04/11/2002 YPOLITE1 00000108 161150 10042407
#2 FEE105 130.00 CH

2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

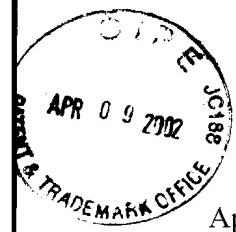
A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Express Mail No.: EL 477 035 673 US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Satoshi Asai et al.

Serial No.: 10/042,407

Art Unit: Not Yet Assigned

Filed: January 8, 2002

Examiner: Not Yet Assigned

For: METHOD OF SCREENING A
GENE

Attorney Docket No.: 7005-129-999

STATEMENT UNDER 37 CFR § 1.52(d)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Gregory Linton, have read and understand both the Japanese application and the English translation attached and hereby affirm that the English translation is accurate.

Respectfully submitted,

Date: April 3, 2002

By: _____

A handwritten signature in black ink, appearing to read "G. Linton".

Gregory Linton